

# Notice of Allowability

Application No.

10/629,133

Examiner

Dangelino N. Gortayo

Applicant(s)

AGRAWAL ET AL.

Art Unit

2168

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/31/2006.
2. ☒ The allowed claim(s) is/are 1-20 and 23-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 12/1/2006.

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other \_\_\_\_\_

  
**TIM VO**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mohammed S. Rahman (43,029) on 12/1/2006.

The application has been amended as follows:

### **AMENDMENTS TO THE CLAIMS**

In claim 23, line 2, **DELETE** ~~executable~~ **INSERT** executed

In claim 28, line **DELETE** ~~operable for determining~~ **INSERT** adapted to  
determine

### **REASON FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance:

Claims 1-20 and 23-32 are allowable over the prior art of record because the prior art of record fails to teach or fairly suggest building a computerized dictionary of path representations relating to paths that occur in said documents, wherein said path representations comprise a path in the tree representation of a document having a

capability to include positional information of preceding sibling nodes that have a same label as a given node in a tree; representing each of said documents in said document collection as an  $N$ -dimensional vector comprising an element  $i$  denoting a value of a feature associated with a particular path, wherein said feature comprises any of a presence or absence of said particular path in said documents and a frequency of occurrence of said particular path in said documents; calculating a measure of similarity between two of the documents based upon the frequency of occurrence of similar paths specified by the path representations, as detailed in claim 1 and similarly to claims 23 and 28.

In the previous Office Action, the combination of Hattori, Cruz, and Schuetze is used to reject the instant application under 35 USC 103. The rejection has been overcome with the addition of the limitation wherein path representations comprise a path in a tree representation, which is then used to calculate a measure of similarity between clusters of any of web page and XML documents. Whether alone or in combination, the prior art fails to teach path representations comprising of paths in a tree to measure and calculate similarity between documents. Also, whether alone or in combination, the prior arts fails to teach the limitation of considering the structural properties of documents to calculate the similarities between documents.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dangelino N. Gortayo whose telephone number is (571)272-7204. The examiner can normally be reached on M-F 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim T. Vo can be reached on (571)272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dangelino N. Gortayo  
Examiner

*DL*

  
Tim T. Vo  
SPE

**TIM VO**  
**SUPERVISORY PATENT EXAMINER**  
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